

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

|                    |   |                  |
|--------------------|---|------------------|
| RUSSELL E. GARNER, | ) |                  |
|                    | ) |                  |
| Plaintiff,         | ) |                  |
|                    | ) | CIVIL ACTION NO. |
| v.                 | ) | 1:06cv781-MHT    |
|                    | ) |                  |
| PROGRESSIVE DIRECT | ) |                  |
| INSURANCE COMPANY, | ) |                  |
|                    | ) |                  |
| Defendant.         | ) |                  |

ORDER

It is ORDERED that defendant Progressive Direct Insurance Company show cause, if any there be, in writing by March 30, 2007, as to why its motion for summary judgment (Doc. No. 11) should not be denied for reasons set forth in plaintiff Russell E. Garner's response (Doc. No. 12).

DONE, this the 26th day of March, 2007.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE